

**ORIGINAL**

**NO SUMMONS ISSUED**

**MOTION UNDER 28 U.S.C. § 2255 TO VACATE, SET  
SENTENCE BY A PERSON IN FEDERAL**

<b>United States District Court</b>		District <b>EDNY</b>
Name: <b>EDWIN RODRIGUEZ</b>		Docket or Case No.: <b>CR-07-107 (ARR)</b>
Place of Confinement: <b>ISP LEE</b>	Prisoner No.: <b>75188-053</b>	
<b>UNITED STATES OF AMERICA</b> Movant (include name under which convicted) <b>v. EDWIN RODRIGUEZ</b>		

**ROSS, J.**

**MOTION**

- (a) Name and location of court that entered the judgment of conviction you are challenging: UNITED STATES DISTRICT COURT EDNY, 225 CADMAN PLAZA EAST, BROOKLYN, NEW YORK 11201
- (b) Criminal docket or case number (if you know): CR-07-107 (ARR)
- (a) Date of the judgment of conviction (if you know): 11/4/2010
- (b) Date of sentencing: 11/4/2010
- Length of sentence: 60 MONTHS
- Nature of crime (all counts): CONSPIRACY TO POSSESS WITH INTENT TO POSSESS COCAINE; DISTRIBUTION OF 5 KILOGRAMS OR MORE OF COCAINE; CONSPIRACY TO COMMIT ROBBERY.

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ **AUG 30 2011** ★

- (a) What was your plea? (Check one) **BROOKLYN OFFICE**  
 (1) Not guilty ☐ (2) Guilty ☒ (3) Nolo contendere (no contest) ☐  
 (b) If you entered a guilty plea to one count or indictment, and a not guilty plea to another count or indictment, what did you plead guilty to and what did you plead not guilty to? N/A

- If you went to trial, what kind of trial did you have? (Check one) Jury ☐ Judge only ☐
- Did you testify at either a pretrial hearing, trial or post-trial hearing? Yes ☐ No ☐

With the consent of the Government, the petition is granted, the sentence is vacated, and a new sentence is scheduled for 9/21/11 @ 1130am.  
 So ordered. S/Judge Ross WJS 8/30/11 cc: Counsel Probation Dept